THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No.19411 OF 2005

DATED: 12-09-2006

Between:

M.Venkataiah . . .Petitioner

And

The Government of Andhra Pradesh,
Department of Higher Education,
Hyderabad, and others

. . .Respondents

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O R D E R:

The petitioner was a candidate seeking admission to B.Ed course. He appeared for Ed. CET – 2004 claiming his caste as Scheduled Tribe based on a certificate issued by the Mandal Revenue Officer, Nagar Kurnool. During the course of counselling, he was not admitted into the said course suspecting his caste and the matter was referred to the third respondent. At that point of time, he approached this Court and this Court passed an order dated 02.09.2005 directing the respondents to permit the petitioner to prosecute B.Ed course.

Inasmuch as the petitioner was already issued caste certificate by the competent authority, there was no reason to withhold his admission. If, for any reason, there is suspicion on the claim of the petitioner, it is open to the respondents to conduct an enquiry, but on the ground that the enquiry is pending, the admission of the petitioner cannot be withheld. Inasmuch as the petitioner was already permitted to prosecute the course, I am of the view that the writ petition is disposed of directing the respondents to allow the petitioner to continue the course and issue necessary certificates. However, it is made clear that with regard to caste certificate, if there is any suspicion, it is open for the respondents to conduct an enquiry and

pass appropriate orders.

Subject to the above direction, the writ petition is disposed of. No order as to costs.

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(R.SUBHASH REDDY, J)

12th SEPTEMBER, 2006.

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